

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT CARODINE,

Plaintiff,

vs.

CASS COUNTY DEPARTMENT OF
CORRECTIONS,

Defendant.

8:24CV67

MEMORANDUM AND ORDER

On February 21, 2024, Plaintiff Robert Carodine filed an unsigned Complaint. [Filing No. 1](#). On February 26, 2024, the Clerk of Court advised Plaintiff that his Complaint was unsigned and therefore deficient. The Clerk of Court directed Plaintiff to “correct the deficiency” (i.e., file a signed Complaint) within 14 days, or the pleading “may be stricken from the record of this case.” [Filing No. 6](#), Text Order. On March 12, 2024, the text notice of deficiency sent by the Clerk of Court to Plaintiff at his last known address at the Cass County Jail was returned to this Court as undeliverable. See [Filing No. 10](#). Previous mail sent to Plaintiff at the Cass County Jail also had been returned as undeliverable, and the Court directed Plaintiff to update his address with the Court by April 4, 2024. [Filing No. 9](#). On March 18, 2024, Plaintiff advised the Court of his current address. [Filing No. 11](#). Accordingly, the Court will direct the Clerk to resend the text notice of deficiency and give Plaintiff additional time to file a signed Complaint.

To be clear, Plaintiff is ordered to file a signed Complaint in accordance with [Federal Rule of Civil Procedure 11](#) and the Court’s Local Rules. This matter cannot proceed until the signature deficiency is corrected. FAILURE TO CORRECT THE

DEFECT WITHIN 30 DAYS WILL RESULT IN DISMISSAL OF THE COMPLAINT WITHOUT FURTHER NOTICE.

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to correct the above-listed technical defect on or before **April 17, 2024**. Failure to comply with this Memorandum and Order will result in dismissal of this matter without prejudice and without further notice.

2. The Clerk of Court is directed to re-send to Plaintiff the text notice of deficiency in Filing No. 6 along with the signature page from his Complaint, [Filing No. 1 at 11](#).

3. The Clerk of Court is directed to set a pro se case management deadline using the following text: **April 17, 2024**: deadline for signed Complaint.

Dated this 18th day of March, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge